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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

EILEEN GONZALEZ,	)	Case No.: 1:21-cv-00398-SKO
	)	
Plaintiff,	)	STIPULATION TO REMAND AND
	)	ORDER
vs.	)	(Doc. 20)
	)	
KILOLO KIJAKAZI, <sup>1</sup>	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

IT IS STIPULATED by and between Eileen Gonzalez (Plaintiff) and Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to further evaluate the

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021, and should be substituted, therefore, for Andrew Saul as the defendant in this suit. Fed. R. Civ. P. 25(d). No further action need be taken to continue this suit. 42 U.S.C. § 405(g).

1 evidence, including evidence related to Plaintiff's intellectual disorder. The parties further  
2 request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff,  
3 and against Defendant, reversing the final decision of the Commissioner.

4 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
5 Social Security Act, 42 U.S.C. 405(g).

6 Respectfully submitted this 30th day of March, 2022.

8 Dated: March 31, 2022

/s/ Jonathan O. Peña

JONATHAN O. PEÑA

Attorney for Plaintiff

\*Authorized via e-mail on March 30, 2022

11 Dated: March 31, 2022

PHILLIP A. TALBERT

United States Attorney

LISA A. THOMAS

Regional Chief Counsel, Region VII

Social Security Administration

15 By: /s/ Sarah E. Preston

SARAH E. PRESTON

Special Assistant United States Attorney

Attorneys for Defendant

20 **ORDER**

21 Based upon the parties' foregoing Stipulation to Remand (Doc. 20), and for cause shown,  
22 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of  
23 Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

24 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,  
25 vacating and reversing the final decision of the Commissioner. The Clerk shall also  
26 administratively close this file.

27 **IT IS SO ORDERED.**  
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1 Dated: **March 31, 2022**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

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